

87<sup>th</sup> Legislative Session – 2012

Committee: Senate State Affairs

Wednesday, February 15, 2012

P - Present  
E - Excused  
A - Absent

Roll Call

P Adelstein  
P Cutler  
P Frerichs  
P Gray  
P Johnston  
P Rave  
P Tieszen  
P Olson (Russell), Vice-Chair  
P Rhoden, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Larry Rhoden, Chair.

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 13, 2012

Moved by: Frerichs  
Second by: Tieszen  
Action: Prevailed by voice vote.

HB 1046: revise certain provisions regarding child custody during a soldier's deployment.

CONTINUATION OF HEARING HELD ON FEBRUARY 8, 2012 ON HB 1046

Presented by: Jim Seward, Office of the Governor  
Proponents: Thomas Barnett Jr., SD State Bar  
Royce Loesch, SD American Legion

MOTION: AMEND HB 1046

1046od

On page 2, line 4, of the House engrossed bill, after "deployment" insert "itself".

On page 2, line 13, after "custody" insert ", the best interests of the child remains determinative for such temporary custody determinations".

On page 2, line 16, delete everything after "from" and insert "the deployment either the".

On page 2, line 17, after "servicemember" insert "or child".

On page 2, after line 19, insert "The temporary custody provisions of § 25-4A-11 do not apply to the temporary custody provisions of this section.".

On page 2, delete lines 20 to 24, inclusive.

On page 3, delete lines 1 to 6, inclusive.

Moved by: Johnston  
Second by: Rave  
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1046 AS AMENDED

Moved by: Cutler  
Second by: Rave  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Adelstein, Cutler, Frerichs, Gray, Johnston, Rave, Tieszen, Olson (Russell), Rhoden

HB 1058: revise certain record search fees charged by clerks of court.

CONTINUATION OF HEARING HELD ON FEBRUARY 13, 2012 ON HB 1058

MOTION: REFER HB 1058 TO APPROPRIATIONS

Moved by: Gray  
Second by: Rave  
Action: Prevailed by roll call vote. (8-1-0-0)

Voting Yes: Cutler, Frerichs, Gray, Johnston, Rave, Tieszen, Olson (Russell), Rhoden

Voting No: Adelstein

HJR 1002: To propose a constitutional amendment to repeal certain reimbursement restrictions for travel by legislators to and from a legislative session.

Presented by: Senator Todd Schlekeway

Proponents: Representative Jim Bolin

Representative Larry Lucas (Handout: 1)

MOTION: DO PASS HJR 1002

Moved by: Rave

Second by: Cutler

Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: Adelstein, Cutler, Frerichs, Rave, Tieszen, Rhoden

Voting No: Gray, Johnston, Olson (Russell)

HJR 1004: To propose a constitutional amendment regarding legislative term limits.

Presented by: Representative Jim Bolin

MOTION: DEFER HJR 1004 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Olson (Russell)

Second by: Rave

Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Adelstein, Cutler, Frerichs, Gray, Johnston, Rave, Tieszen, Olson (Russell), Rhoden

HB 1233: provide for the public access to the records of former Governors and lieutenant governors.

Presented by: Tony Venhuizen, Office of the Governor

Proponents: David Bordewyk, SD Newspaper Association

MOTION: DO PASS HB 1233

Moved by: Gray

Second by: Cutler  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Adelstein, Cutler, Frerichs, Gray, Johnston, Rave, Tieszen, Olson (Russell), Rhoden

MOTION: PLACE HB 1233 ON CONSENT CALENDAR

Moved by: Olson (Russell)  
Second by: Johnston  
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Cutler  
Second by: Olson (Russell)  
Action: Prevailed by voice vote.

Kay Johnson  
Committee Secretary

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Larry Rhoden, Chair